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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/615,710 | 07/08/2003 | Thomas J. Ribarich | IR-2132 (2-3 | 9443 |
| 2352 | 7590 | 06/07/2004 | EXAMINER | |
| OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403 | | | ALEMU, EPHREM | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2821 | |

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/615,710

Applicant(s)

RIBARICH, THOMAS J.

Examiner

Ephrem Alemu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20030708.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because the abstract contains more than 150 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilhelm et al. (US 6,211,623).

Re claims 1-7, 11 and 12, Wilhelm discloses an integrated circuit for an electronic ballast control, comprising:

integrated circuit (IC 2) including half-bridge control circuitry; ballast control circuitry; and power factor control circuitry for driving a power half-bridge (MOSFETs 6, 8) and operating a load (4) as claimed in claims 1-7 and 11-12 (Figs. 1-3; Col. 3, line 16- Col. 24, line 64).

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Re claim 10, Wilhelm discloses a control circuit for controlling an electronic ballast for powering a lamp (Fig. 2), the control circuit having a plurality of states, comprising:

an undervoltage control state for disabling the electronic ballast; a preheat control state for switching a half-bridge in the electronic ballast at a first frequency and providing power factor correction with a fast response time; an ignition ramp control state for starting the lamp connected to the electronic ballast, with the half-bridge switching at a second frequency; a run control state with the power factor correction operating in low gain with optimized power factor correction; and a fault control state for protecting the electronic ballast based on a set of fault criteria (Fig. 2; Col. 3, line 16- Col. 24, line 64).

Re claims 8 and 9, given Wilhelm control circuit having a plurality of states as for controlling an electronic ballast as discussed in claim 10, the method for controlling an electronic ballast as claimed in claims 8 and 9 is inevitable (Figs. 1-3; Col. 1, line 52- Col. 2, line 20; Col. 12, line 50- Col. 18, line 8).

Re claim 14, Wilhelm discloses a single chip integrated ballast control (Fig. 2), comprising:

a half bridge driver circuit and a control circuit for controlling and driving a half bridge switch (i.e., MOSFETs 6, 8) configuration (Figs. 2, 3; Col. 2, line 66- Col. 3, line 15) ; and

a power factor correction circuit (i.e., PFC circuit) coupled to the control circuit and operable to control input power to improve a ballast power factor (Col. 12, lines 50-53).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ribarich et al. (US 6,617,805); Lestician (US 6,555,971); Ben-Yaakov (US

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6,469,917); Ribarich (PG Pub. No. 2002/0141129 & US 6,008,593); and Wood (US 5,612,597); also teach similar inventive subject matter.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ephrem Alemu whose telephone number is (571) 272-1818. The examiner can normally be reached on M-F Flex hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EA
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